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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 14, 2001

APPLICATION OF

AES NEWENERGY, INC.

CASE NO. PUE010584

For permanent licenses to
conduct business as a
competitive electric service
provider and as an aggregator

ORDER FOR NOTICE AND COMMENT

On November 2, 2001, AES NewEnergy, Inc., ("AES" or "the Company"), completed an application with the State Corporation Commission ("Commission") for licenses to provide competitive electric and natural gas aggregation services. This application seeks authority to serve commercial and industrial customers in the retail access programs throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B.

NOW UPON CONSIDERATION of AES' application for electric and aggregation licenses, the Commission is of the opinion and finds that AES' application should be docketed; that the Commission Staff should conduct an investigation into the reasonableness of

the request to become licensed as a competitive electric service provider and as an aggregator and present its findings in a Staff Report; that this Order should be served upon appropriate persons; and that these persons should have an opportunity to comment on AES' request to be licensed as a competitive electric service provider and as an aggregator.

Accordingly, IT IS ORDERED THAT:

(1) This application shall be docketed and assigned Case No. PUE010584.

(2) A copy of the application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, during the Commission's regular hours of operation, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.

(3) On or before November 26, 2001, AES shall serve a copy of this Order upon each utility listed on Attachment A to this Order.

(4) On or before November 30, 2001, the Company shall file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P. O. Box 2118, Richmond, Virginia 23218-2118 proof of the notice required in Ordering Paragraph (3) herein.

(5) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request in writing to the Company, c/o Eric Matheson, AES NewEnergy, Inc., 2 Penn Center, 1500 JFK Boulevard, Suite 222, Philadelphia, Pennsylvania 19102. The Company shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(6) An original and fifteen (15) copies of any comments on the application shall be filed on or before December 3, 2001, with the Clerk of the Commission at the address identified in Ordering Paragraph (4). Comments must refer to Case No. PUE010584. A copy of such comments must also be served on or before December 3, 2001, by first-class mail, or hand-delivered, to the Company, c/o Eric Matheson at the address identified in Ordering Paragraph (5).

(7) The Commission Staff shall analyze the reasonableness of AES' application and shall present its findings in a Staff Report to be filed on or before December 5, 2001.

(8) On or before December 12, 2001, the Company shall file with the Clerk of the Commission an original and fifteen (15) copies and any response it may have to the Staff Report.

(9) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the

responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10, et seq.

(10) This matter shall be continued generally.